



February 17, 2006

ENGROSSED HOUSE BILL No. 1236

DIGEST OF HB 1236 (Updated February 16, 2006 9:54 am - DI 113)

Citations Affected: IC 10-11.

Synopsis: Capitol police salary matrix. Provides that special police officers who provide security and preserve the peace in and around the state capitol building, the state office building, and certain other state facilities are capitol police. Requires the state police board to adopt a salary matrix for capitol police with the same percentage salary differentials between the ranks as the salary matrix for police employees. Provides that the matrix must be used after June 30, 2007. Permits employees of the state police department to wear their uniform and use their radio and firearm while performing nonduty work, if that work is approved by the superintendent in accordance with the rules and employee policies of the department.

Effective: July 1, 2006.

Ruppel, Tincher

(SENATE SPONSORS — WYSS, ALTING, CRAYCRAFT)

January 10, 2006, read first time and referred to Committee on Public Safety and Homeland Security.

January 19, 2006, amended, reported — Do Pass. Referred to Committee on Ways and Means pursuant to House Rule 127.

January 23, 2006, referral withdrawn.

January 30, 2006, read second time, ordered engrossed. Engrossed.

February 2, 2006, read third time, passed. Yeas 96, nays 1.

SENATE ACTION

February 6, 2006, read first time and referred to Committee on Appropriations.

February 16, 2006, amended, reported favorably — Do Pass.

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February 17, 2006

Second Regular Session 114th General Assembly (2006)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2005 Regular Session of the General Assembly.

ENGROSSED HOUSE BILL No. 1236

A BILL FOR AN ACT to amend the Indiana Code concerning public safety.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 10-11-2-17 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 17. (a) The board shall
3 provide, within amounts appropriated for the purpose, the uniforms and
4 equipment necessary for the employees of the department to perform
5 their respective duties.
6 (b) The uniforms and equipment provided to employees under this
7 section remain the property of the state.
8 (c) The board may sell uniforms and equipment, with the consent of
9 the governor, if the uniforms and equipment become unfit for use.
10 Money received from a sale under this section must be paid into the
11 state treasury and credited to the state general fund.
12 (d) The board shall charge against an employee of the department
13 the value of any property of the department lost or destroyed through
14 carelessness or neglect of the employee. If the board determines that
15 the loss or destruction of the department's property was due to
16 carelessness or neglect of an employee, the value of the equipment
17 shall be deducted from the pay of the employee.

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(e) An employee of the department may perform nonduty work, for compensation, using the issued uniform, radio, and firearm provided by the board, if that work is approved by the superintendent in accordance with the rules and employee policies of the department. The employee shall reimburse the department for the value of any uniforms or equipment lost or destroyed in the performance of the nonduty work.

SECTION 2. IC 10-11-2-28 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 28. (a) The department shall maintain security and preserve the peace in and about the following:

- (1) The state capitol building.
- (2) A state office building.
- (3) A state parking facility.
- (4) A state motor pool garage.
- (5) A state warehouse.
- (6) The Indiana state library.
- (7) The governor's residence.
- (8) Any other building or property used by the state for any of the following purposes:

(A) Housing of personnel or activities of an agency or a branch of state government.

(B) Providing transportation or parking for state employees or persons having business with state government.

(b) A special police employee of the department assigned to the security activities under this section, other than an officer or police employee of the department who possesses police powers under section 21 of this chapter, possesses all of the common law and statutory powers of law enforcement officers except for the service of civil process.

(c) For purposes of IC 5-2-1, a special police employee assigned to the security activities under this section, other than a regular police employee of the department, ~~is a special~~ **is a capitol police** officer.

(d) ~~Special police employees~~ **Capitol police officers** shall enforce IC 4-20.5 and rules of the Indiana department of administration.

(e) The superintendent may adopt rules under IC 4-22-2 to do the following:

- (1) Enforce IC 4-20.5 and rules of the Indiana department of administration concerning the security of state property.
- (2) Carry out the responsibilities for security of state property under this section.

SECTION 3. IC 10-11-2-28.5 IS ADDED TO THE INDIANA

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1 CODE AS A NEW SECTION TO READ AS FOLLOWS
 2 [EFFECTIVE JULY 1, 2006]: Sec. 28.5. (a) After June 30, 2007, the
 3 board shall use a salary matrix that categorizes salaries of capitol
 4 police officers described in section 28 of this chapter within each
 5 rank based upon the rank held and the number of years of service
 6 in the department through the tenth year. The salary ranges the
 7 board assigns to each rank shall be divided into a base salary and
 8 ten (10) increments above the base salary, with:

9 (1) the base salary in the rank paid to a capitol police officer
 10 with less than one (1) year of service in the department; and

11 (2) the highest salary in the rank paid to a capitol police
 12 officer with at least ten (10) years of service in the
 13 department.

14 (b) For purposes of creating the salary matrix prescribed by this
 15 section, the board may not approve salary ranges for any rank of
 16 capitol police officers that are less than the salary ranges effective
 17 for that rank on January 1, 2006.

18 (c) The salary matrix prescribed by this section shall be
 19 reviewed and approved by the budget agency before
 20 implementation.

21 (d) The salary matrix developed under subsection (a) must use
 22 the same percentage differentials between increments that are used
 23 for the salary matrix for police employees under IC 10-11-2-13.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Safety and Homeland Security, to which was referred House Bill 1236, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 10-11-2-28 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 28. (a) The department shall maintain security and preserve the peace in and about the following:

- (1) The state capitol building.
- (2) A state office building.
- (3) A state parking facility.
- (4) A state motor pool garage.
- (5) A state warehouse.
- (6) The Indiana state library.
- (7) The governor's residence.
- (8) Any other building or property used by the state for any of the following purposes:
 - (A) Housing of personnel or activities of an agency or a branch of state government.
 - (B) Providing transportation or parking for state employees or persons having business with state government.

(b) A special police employee of the department assigned to the security activities under this section, other than an officer or police employee of the department who possesses police powers under section 21 of this chapter, possesses all of the common law and statutory powers of law enforcement officers except for the service of civil process.

(c) For purposes of IC 5-2-1, a special police employee assigned to the security activities under this section, other than a regular police employee of the department, ~~is a special~~ **is a capitol police** officer.

(d) ~~Special police employees~~ **Capitol police officers** shall enforce IC 4-20.5 and rules of the Indiana department of administration.

(e) The superintendent may adopt rules under IC 4-22-2 to do the following:

- (1) Enforce IC 4-20.5 and rules of the Indiana department of administration concerning the security of state property.
- (2) Carry out the responsibilities for security of state property under this section."

Page 1, line 3, delete "[EFFECTIVE UPON PASSAGE]" and insert

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"[EFFECTIVE JULY 1, 2006]".

Page 1, line 3, delete "2006," and insert "**2007,**".

Page 1, line 10, delete "person" and insert "**capitol police officer**".

Page 1, line 12, delete "person" and insert "**capitol police officer**".

Page 1, line, 15, after "rank" insert "**of capitol police officers**".

Page 2, delete line 7.

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1236 as introduced.)

RUPPEL, Chair

Committee Vote: yeas 8, nays 0.

COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred House Bill No. 1236, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 10-11-2-17 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 17. (a) The board shall provide, within amounts appropriated for the purpose, the uniforms and equipment necessary for the employees of the department to perform their respective duties.

(b) The uniforms and equipment provided to employees under this section remain the property of the state.

(c) The board may sell uniforms and equipment, with the consent of the governor, if the uniforms and equipment become unfit for use. Money received from a sale under this section must be paid into the state treasury and credited to the state general fund.

(d) The board shall charge against an employee of the department the value of any property of the department lost or destroyed through carelessness or neglect of the employee. If the board determines that the loss or destruction of the department's property was due to carelessness or neglect of an employee, the value of the equipment shall be deducted from the pay of the employee.

(e) An employee of the department may perform nonduty work, for compensation, using the issued uniform, radio, and firearm

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provided by the board, if that work is approved by the superintendent in accordance with the rules and employee policies of the department. The employee shall reimburse the department for the value of any uniforms or equipment lost or destroyed in the performance of the nonduty work."

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1236 as printed January 20, 2006.)

MEEKS, Chairperson

Committee Vote: Yeas 10, Nays 0.

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